

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHASOM BROWN, et al.,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 20-cv-03664-YGR (SVK)

**ORDER FOR GOOGLE TO SHOW  
CAUSE RE ADDITIONAL  
DISCOVERY SANCTIONS**

**ORDER FOLLOWING OCTOBER 27,  
2022 STATUS CONFERENCE**

Re: Dkt. No. 656

In its October 20, 2022 order, the Court stated that it intended to issue an Order to Show Cause (“OSC”) regarding Plaintiffs’ motion for additional discovery sanctions (Dkt. 656), and the Court set a status conference for October 27, 2022. Dkt. 776. For the reasons discussed at the October 27, 2022 status conference the Court hereby **ORDERS** Google to show cause as to why the Court should not find that the logs recently disclosed by Google contain relevant data that should have been identified and produced during discovery and that Google should be sanctioned.

As discussed at the status conference, briefing on the OSC shall proceed as follows:

1. Google’s opening brief and evidence in response to the OSC is due **November 30, 2022**. Together with its opening brief, Google must provide to Plaintiffs and the Court all facts or data considered by any person proffering evidence in connection with Google’s opening brief.
2. Plaintiffs’ response is due **January 20, 2023**. Plaintiffs’ response should address whether, *inter alia*, in light of Google’s opening brief and evidence on the OSC, Plaintiffs are able to propose a more narrowly-tailored set of additional sanctions than those proposed in their motion at Dkt. 656.
3. Google’s reply is due **February 10, 2023**.
4. The Court will hold an in-person hearing on **March 2, 2023 at 10:00 a.m.**

- 1 5. The normal page limits of Civil Local Rule 7 apply to the OSC briefing.
- 2 6. If during the course of briefing the OSC either side determines that further
- 3 involvement of the Special Master would be beneficial, they shall immediately
- 4 meet and confer with the other side. Any agreement or dispute regarding the
- 5 further involvement of the Special Master must be promptly presented to the Court
- 6 by way of stipulation or joint letter brief. The Court will issue a further referral
- 7 order under Rule 53 if, after reviewing the Parties' submissions, the Court
- 8 determines that further proceedings before the Special Master will take place.
- 9 7. Google's pending motion for leave to file a sur-reply to Plaintiffs' motion for
- 10 additional discovery sanctions at Dkt. 735 is **DENIED**. The denial is without
- 11 prejudice to Google's inclusion of any relevant information from its proposed sur-
- 12 reply in its briefing on the OSC.

12 **SO ORDERED.**

13 Dated: October 27, 2022

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16 SUSAN VAN KEULEN  
17 United States Magistrate Judge  
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